

MINUTES OF THE HOWARD COUNTY PLANNING BOARD – February 28, 2008 P.M.

Members Present: Tammy CitaraManis, Chairperson; David Grabowski, Vice-Chair; Linda Dombrowski; Gary Rosenbaum; Ramsey Alexander, Jr.

Members Absent:

DPZ Staff Present: Marsha McLaughlin; Bob Lalush; Tanya Maenhardt; Lisa Kenney

Pre-Meeting Minutes

No pre-meeting was conducted.

Minutes

No minutes were voted on.

PUBLIC HEARING

Ms. CitaraManis opened the public hearing at approximately 7:00 p.m.

PLANNING BOARD CASES

PB 382 Weavers Court – Ronald and Gail Spahn

Presented By: Tanya Maenhardt
Petition: For approval of a Preliminary Equivalent Sketch Plan consisting of 10 single-family lots, 4 open space lots and a public road in a R-ED Zoning District. The subject property of approximately 6.759 ± acres is located in the second Election District of Howard County, Maryland, on College Avenue on land belonging to Ronald and Gail Spahn.
DPZ Recommendation: Approval
Petitioner's Representatives: Joe Rutter, Alvo Fettuci

Ms. Maenhardt gave a brief overview of the case stating the request for the approval of 10 residential lots and 4 open space lots on the subject parcel with access to a planned public road, which would be served by public water and sewer.

Joe Rutter of Land Design and Development presented a copy of the plan as exhibit #1. He explained the proposed plan would minimize impact to environmental features as well as the existing landscape buffer. Mr. Rutter stated that they would install low level landscaping so as not to block sight distance from the driveway of the adjoining property. He presented the Weaver Court Site Plan as exhibit #2 and the Weaver Court Sketch Plan as exhibit #3.

Mr. Rosenbaum questioned stormwater management and the maintenance of the retaining wall. Mr. Alvo Fettuci, Engineer stated that the Petitioner received a waiver from the County for stream buffer because grading for the swm pond was larger than the actual pond, and therefore minimizing environmental impacts.

Grace Kubofcik of 4801 Carmen Drive Ellicott City MD spoke encouraging the developer to refine the plan to reflect newly adopted regulations, for traditional residential neighborhoods. She also encouraged the Board to reserve the right to see the site development plans in the future.

Edward Lilling of 4805 Wilkens Ave, Catonsville MD stated that the Ellicott City Restoration Foundation voted to support the proposed plan.

Sharon McCormack of 4021 College Avenue stated that the proposed development would be an aesthetic improvement and encouraged the Board to reserve the right to review future site development plans.

Ms. CitaraManis closed the public hearing at approximately 7:34 p.m.

Motion:

Ms. Dombrowski moved to approve PB Case 382, Spahn property, reserving the right to review future site development plans. Mr. Grabowski seconded the motion.

Discussion:

Ms. Dombrowski stated that the project meets the criteria and that care had been taken to minimize environmental impact. She also urged the Developer to look at recent scenic road legislation. Mr. Grabowski stated that it was good to see landscaping to preserve the scenic road.

Mr. Rosenbaum, Ms. Citaramanis, and Mr. Alexander, Jr. agreed.

Vote:

5 Yea 0 Nay. The motion was carried.

ZONING REGULATION AMENDMENTS

ZRA-95 Courtney Watson

Presented By:	Bob Lalush
Petition:	To amend various sections of the zoning regulations related to infill development.
DPZ Recommendation:	Approval
Petitioner's Representative:	Courtney Watson

Mr. Lalush briefly explained the amendments being proposed stating the proposed process for density exchange under the proposed amendments.

Mr. Alexander, Jr. questioned how much land would be reserved as a result of transferring development rights under the proposed amendments. Mr. Lalush explained that it would be variable and would be up to the property owner.

Mr. Rosenbaum questioned why NT was not included. Mr. Lalush stated that it was not part of the Petitioner's proposal.

Ms. Dombrowski asked several questions regarding potential for sending to the West and why sending was to be based on net acreage versus gross acre. Mr. Lalush explained that sending to the West would be counter to the General Plan and smart growth, and that The Department preferred net acreage, which takes into consideration environmental limitations on a parcel. Ms. Dombrowski also asked if any consideration was given to affordable housing as a requirement in order to receive. Mr. Lalush stated that the intent of the amendments were for the preservation of neighborhoods.

Ms. Watson stated that the proposed amendments would provide a tool to relieve a pressure valve on infill and that it was designed for smaller parcels in existing neighborhoods. She stated that it would give residents options, as well as preserve the character of the neighborhoods.

ZRA-96 Marsha S. McLaughlin

Presented By: Bob Lalush
Petition: To amend various sections of the zoning regulations establishing new special bulk requirements for density and minimum lot size applicable to Neighborhood Infill Subdivisions and Neighborhood Infill Resubdivisions.
DPZ Recommendation: Approval
Petitioner's Representative: Marsha McLaughlin

Mr. Lalush explained this request to amend the zoning regulations to establish new bulk requirements relating to neighborhood infill subdivisions and resubdivisions.

Council Bill No. ____ - 2008

Presented By: Brenda Barth
Petition: Amending the Subdivision and Land Development Regulations
DPZ Recommendation: Approval
Petitioner's Representative: Marsha McLaughlin

Ms. Barth explained the purpose of the proposed amendments to the Subdivision and Land Development Regulations; Subtitle 11, APFO regulations; Subtitle 12 Forest Conservation; Design Manual Volume I and III. relating to infill development.

Public Testimony:

Bridget Mugane of the Howard County Citizens Association spoke in support of ZRA 95 suggesting that the PGCC Zoning District be excluded. She also spoke in support of ZRA 96 and the Council Bill.

Anton Hauck of 2530 Kensington Gardens, Ellicott City MD requested that a grandfather clause be added to the proposed legislation.

Bob Corbett of the Williamsburg Group spoke in opposition of the proposed legislation stating there is no benefit for the builders or homeowners and that it would affect the entire County and not just problem areas.

Tom Ballentine of the Howard County Chapter of Maryland Homebuilders Association of Maryland spoke in opposition of the proposed legislation and submitted written testimony stating the concerns with the proposed legislation.

Joseph Federline of Ellicott City, Maryland spoke in opposition of the proposed legislation stating his concerns that his existing project that is technically complete, would not be grandfathered.

James Fawcett of 4941 Bonnie Branch spoke in opposition of the proposed legislation, stating his concerns regarding the absence of grandfathering.

William Erskine of 10715 Charter Drive, Columbia Maryland, spoke in opposition of the proposed legislation stating his concerns with the affect on existing property owners and that the legislation should be geared towards infill areas, not the entire County.

Karen Tomolovitz of 5191 Talbots Landing, Ellicott City, spoke in support of ZRA 95, however she stated that ZRA 96 and the Council Bill go far beyond what is necessary to preserve infill areas.

Angie Beltram of 4121 Paulskirk Drive, spoke in support of the proposed legislation stating that she served on the infill committee.

Dave Dows of 9450 Annapolis Road, spoke in opposition of the proposed legislation, requesting that the definition of neighborhood infill be changed.

Howard Johnson of 6241 Laslik Court spoke in support of ZRA 95, stating that an amendment could be made to increase the upper limit of sending parcels to 3 acres and receiving areas should all be bonus density of 5%.

James Pfeffercorn of 2797 Pfeffercorn Road, spoke in opposition of the proposed legislation, stating that it was not necessary in western Howard County.

Jacob Hikmat of 5772 Dorsey Hall Drive, spoke in opposition of the proposed legislation, stating his concerns regarding down zoning, as well as inadequate notification. He also stated that the zones should be reviewed comprehensively and grandfathering should be considered.

Mark McPherson of 4826 Wharf Lane spoke in opposition of the proposed legislation (ZRA 96) and Council Bill due to his concerns with not enough regulation for streams and scenic road buffers.

George Boarman of 12006 Rt. 216, Fulton, Maryland spoke in opposition of the proposed legislation stating that it would cause a hardship in developing his property.

Leo McPherson of 4826 Wharf Lane spoke in support of the proposed legislation.

Terry Fisher, of Fisher Collins and Carter at 1072 Baltimore National Pike, Ellicott City, Maryland expressed concern with the proposed legislation being Countywide and not focused on problem areas and grandfathering needs to be addressed.

Sang Oh of 5100 Dorsey Hall Drive spoke in opposition of the proposed legislation stating there was not enough public notice and that the bill and large and needs to be reviewed fully.

Diane Butler of St. Johns Community Association, spoke in support of the proposed legislation stating several existing problems with infill development.

Robert Weaver of 9918 Frederick Road, Ellicott City, Maryland, spoke in support of ZRA 95 as well as the Council however, stated his opposition to ZRA 96 due to concerns regarding calculations in density.

Forester Harmon of 8660 Pine Road, Jessup Maryland spoke in opposition to the proposed legislation stating concern with public notice of the meeting and the hardship it would cause his proposed development.

Phil Quarrier spoke in opposition of the proposed legislation stating concerns with the elimination of pipestem lots.

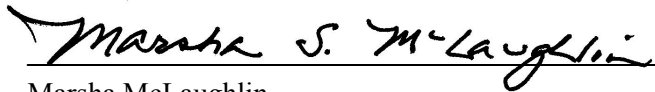
Wayne Newsome spoke in opposition of the proposed legislation stating his concern that the legislation needs more time to be reviewed, as well as inadequate public notice of the meeting.

Ms. CitaraManis stated that the record would remain open for written testimony until the close of business on March 19, 2008. She announced a public worksession to be held on April 3, 2008 at 7:00 p.m.

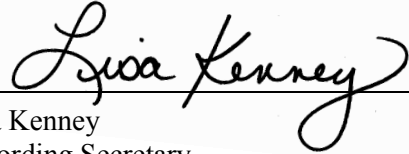
SPECIAL SUBJECTS:

1. Planning Board will sign its recommendations for cases ZRA 94 and the FY 2009 Capital Budget.

THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT
APPROXIMATELY 10:37 P.M.



Marsha McLaughlin
Executive Secretary



Lisa Kenney
Recording Secretary